

STATE BOARD OF PHARMACY
STATE OF MISSOURI

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| STATE BOARD OF PHARMACY, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | Case No. 2014-002902-F1 |
| |) | |
| Gerald Cipponeri, R.Ph. |) | |
| |) | |
| |) | |
| Respondent |) | |

**FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND ORDER OF DISCIPLINE**

This matter appears before the Missouri Board of Pharmacy pursuant to a Felony Conviction Complaint regarding Gerald Cipponeri, R.Ph.

Findings of Fact

1. The Board set this matter for hearing and served notice of the disciplinary hearing upon Cipponeri.
2. Pursuant to notice and Section 338.065 RSMo, this Board held a hearing on July 13, 2017, at the Courtyard Inn, 3301 Lemone Industrial Blvd., Columbia, Missouri, for the purpose of determining the appropriate disciplinary action against the pharmacist license of Cipponeri. Neither Mr. Cipponeri nor an attorney representing Mr. Cipponeri attended the hearing. See page 3 of the transcript. The Board was represented by Cotton Walker. See page 3 of the transcript.
3. All Board members that were present at the disciplinary hearing who participated in the decision reflected in this Order stated that each had read the felony conviction complaint prior to the disciplinary hearing. See page 4 of the transcript.

4. The Missouri Board of Pharmacy ("Board") is an agency of the state of Missouri created and established pursuant to Section 338.110, RSMo, for the purpose of executing and enforcing the provisions of Chapter 338, RSMo.

5. Cipponeri was licensed by the Board, License No. 042806, which license was active and current at the time of the occurrences described in the complaint. However, Mr. Cipponeri's pharmacist license expired on October 31, 2014. See Felony Conviction Complaint.

6. On or about August 17, 2016, Cipponeri pled guilty to a felony in the United States District Court, Eastern Division, Missouri, of violating Title 21, United States Code, Section 843(a)(3) of possession of a controlled substance by fraud or forgery. See Exhibit 1.

7. Cipponeri pled guilty on August 17, 2016. That plea was voluntary. The federal court sentenced Cipponeri on November 15, 2016. A term of his sentencing was that Cipponeri would surrender his Missouri pharmacist license. See Exhibit 1 and page 6 of the transcript.

8. Cipponeri did surrender his Missouri pharmacist license. See page 6 of the transcript.

9. Cipponeri expressed no interest in retaining his pharmacist license, by surrendering it pursuant to the plea agreement, and his failure to appear at this hearing.

Conclusions of Law

10. This Board has jurisdiction over this proceeding pursuant to Section 338.065, RSMo.

11. Respondent's license is subject to discipline by this Board pursuant to Section 338.065, RSMo.

12. Upon examination of the evidence presented, the Missouri Board of Pharmacy concludes that Cipponeri pled guilty in a criminal case to offenses reasonably related to the qualifications, functions or duties of a pharmacist and that these felony

offenses have an essential element of which is fraud, dishonesty or involves moral turpitude.

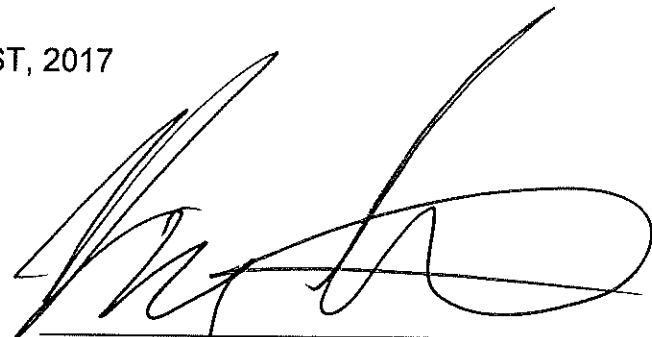
Order

IT IS HEREBY ORDERED by the Missouri Board of Pharmacy that the pharmacist license issued to Gerald Cipponeri, numbered 042806, shall be REVOKED. Mr. Cipponeri may not apply for reinstatement of his license for seven (7) years after the effective date of this Order, as provided in Section 338.067, RSMo. Respondent shall immediately return all indicia of licensure, i.e., the computer generated 5" x 7" license, wallet card, and original wall certificate to the Board office not previously submitted to the Board. This Order shall become effective fifteen (15) days after it is signed by the Executive Director.

The Board of Pharmacy will maintain this Order as an open and public record of the Board as provided in Chapters 338, 610, and 324, RSMo.

ENTERED THIS 31 DAY OF AUGUST, 2017

(BOARD SEAL)



KIMBERLY GRINSTON
EXECUTIVE DIRECTOR
MISSOURI BOARD OF PHARMACY